



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter J. de Groot et al. Art Unit : 2877
Serial No. : 10/806,496 Examiner : Hwa S. Lee
Filed : March 22, 2004
Title : MEASUREMENT OF COMPLEX SURFACE SHAPES USING A SPHERICAL
WAVEFRONT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), ZYGO CORPORATION, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the patent application having Serial No. 10/190,353 to which the above-referenced application claims priority. The assignment was recorded in the Patent and Trademark Office at Reel 013268 Frame 0095 on August 29, 2002. ZYGO CORPORATION also certifies that it is the assignee of U.S. Patent No. 6,714,307 by virtue of the same assignment.

The undersigned has reviewed all the documents in the chain of title of the above-referenced application and to the best of undersigned's knowledge and belief, title is in ZYGO CORPORATION.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee referenced above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of, provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,714,307.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Applicant : Peter J. de Groot et al.
Serial No. : 10/806,496
Filed : March 22, 2004
Page : 2 of 2

Attorney's Docket No.: 09712-213002 / Z-492

The assignee referenced above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent No. 6,714,307 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,714,307.

This disclaimer runs with any patent granted on the above-referenced application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 09712-213002.

Respectfully submitted,

Date: July 21, 2005



Frank R. Occhiuti
Reg. No. 35,306

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906